

Message Text

SECRET

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ORIGIN EUR-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 INRE-00 PM-07 NSC-10

SPC-03 SS-20 RSC-01 IO-14 CIAE-00 INR-10 NSAE-00

OMB-01 TRSE-00 EB-11 L-03 MC-02 PRS-01 DODE-00 H-03

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APPROVED BY EUR - WSTABLER

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OSD/OGC - MR. J. ALLEN

JCS - GEN. BECKNOR

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FM SECSTATE WASHDC

TO AMEMBASSY BONN IMMEDIATE

S E C R E T STATE 017339

E.O. 11652: GDS

TAGS: MILI, PFOR, XF, GW

SUBJ: AMMUNITION SHIPMENTS FROM FRG

REF: BONN 353; STATE 8243; STATE 5963; ECJU 474;

JCS 1384; ECJ4 1408

1. WE UNDERSTAND FROM DOD THAT, ALTHOUGH THIS MATTER HAS BEEN RAISED THROUGH THE DOD-MOD CHANNELS, THE MOD HAS INDICATED THAT, IN THIS ABNORMAL SITUATION, MIDGARD LEGAL PROBLEM FALLS OUTSIDE THE SCOPE OF MOD COMPETENCE. DOD FURTHER REPORTS THE MATTER CAN BE RESOLVED ONLY THROUGH A LONG COURT FIGHT OR BY GREATER DEGREE OF FRG PRESSURE ON MIDGARD. THEREFORE, REQUEST EMBASSY APPROACH

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FONOFF AS SOON AS POSSIBLE AT HIGHEST APPROPRIATE LEVEL

TO SEEK RESOLUTION.

2. YOU SHOULD REPLY TO FONOFF REQUEST TO AMEND CONTRACT
WITH MIDGARD ALONG THE FOLLOWING LINES:

A) USAREUR - MIDGARD CONTRACT DATED 6 JANUARY 1972 IS
IN EFFECT AND IS BINDING UNTIL 30 APRIL 1974.

B) US MILITARY REPRESENTATIVES IN EUROPE ARE PREPARED
TO MEET AT THE EARLIEST CONVENIENT DATE WITH REPRESENTA-
TIVES OF MIDGARD IN ORDER TO BEGIN DISCUSSIONS CONCERNING

SUBSTANCE OF CONTRACT TERMS AND CONDITIONS WHICH SHOULD
REPLACE EXISTING CONTRACT ON MAY 1, 1974.

C) IN THE EVENT THAT TERRORIST ATTACK TAKES PLACE
PRIOR TO EXPIRATION OF PRESENT CONTRACT, USG PREPARED
TO DISCUSS JOINT SHARING OF CLAIMS. (FYI. AGREEMENT
TO SHARE CLAIMS MAY REQUIRE CONGRESSIONAL ACTION. END
FYI.)

D) WE WOULD WELCOME ASSURANCES FROM GERMAN GOVERNMENT
THAT MIDGARD WILL CONTINUE TO CARRY OUT OBLIGATIONS UNDER
EXISTING CONTRACT; SPECIFICALLY, THAT MIDGARD WILL LOAD
AMMO ON CORSAIR AND ACCEPT SUCH FURTHER US AMMO SHIPMENTS
OUT OF FRG AS ARE REQUIRED.

E) A FAVORABLE REPLY IS REQUESTED BY 1 FEB TO INSURE
SUFFICIENT OUTLOADING AND INLAND TRANSIT TIME TO MEET
14 FEB SHIPPING DATE. KISSINGER

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NNN

Message Attributes

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